The Trustees of Mount Carmel * Case No. 89-327-XA Methodist Episcopal Church -Petitioners

FINDINGS OF FACT ANT CONCLUSIONS OF LAW

* * * * * * * * * * *

The Petitioners herein request a special exception to permit an existing church and multi-purpose education center with a proposed addition and a proposed one-family parsonage on the subject property; and variances to permit an existing gravel parking lot in lieu of the required durable and dustless surface, an aisle width within the gravel parking lot of 20 feet in lieu of the required 22 feet, a setback of 3 feet from the existing parking lot to a future street right-of-way line in lieu of the required 10 feet, and no striping of spaces in lieu of the required striping, all as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Allen L. Turnbaugh, Chairman of the Trustees, Carol S. Warner, Chairman of the Building Committee, appeared, testified, and were represented by Stephen J. Nolan, Esquire. Also appearing on Behalf of the Petition were Rev. Mary E. Kraus, District Superintendent for the United Methodist Church, Leonard Bohager, a registered professional land surveyor with McKee and Associates, and Raymond Bosley, Contractor. Numerous parishoners appeared in support of the Petition. There were no Protestants.

> Testimony indicated that the subject property, zoned R.C. 2, consists of two parcels totalling 6.19 acres more or less. Parcel 1, located at the corner of Pretty Boy Dam and Mt. Carmel Roads, contains

3.24 ucres and is currently improved with a multi-purpose education center and two parking lots, one a macadam paved lot containing 18 spaces and the other, a gravel parking area containing 18 spaces. Parcel 2, located across from Parcel 1 on the southeast corner of Mt. Carmel and Beaver Dam Roads, consists of 2.95 acres and is currently improved with an existing church and adjoining cemetery. Testimony indicated that the Mt. Carmel United Methodist Church has operated from the subject site since 1851. Testimony presented indicated that in July 1988, the Church, which previously shared a Pastor with the Harford United Methodist Church, was given "station" status. As a result, a full-time pastor was assigned to the Church. Due to the need for housing facilities for a full-time Pastor and his or her family, the Petitioners propose constructing a parsonage on Parcel 1. In applying for a building permit for the parsonage, Petitioners were advised that it would be necessary to either establish the nonconforming use of the existing buildings on the property, and/or apply for a special exception for the existing Church, education center and proposed parsonage, and variances as may be required for the parking lots. The Petitioners elected to file the instant Petitions.

Testimony presented by Mr. Bohager and Ms. Warner verified that the relief requested by Petitioners will meet the special exception and variance requirements as set forth in Sections 502.1 and 307 of the B.C.Z.R. Testimony emphasized that the majority of the requests are for existing improvements and parking conditions which have existed for an extended period of time and have not created any detriment to the health, safety or general welfare of the community.

It is clear that the B.C.Z.R. permits the use proposed in an R.C.2 zone by special exception. It is equally clear that the proposed

use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it Suppears that the special exception should be granted with certain restrictions as more fully described below. We must now examine the variance

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

> 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a

primitived purpose or render contributors unrecessarily

2) whether the grant would do nubotantial injusting to applicant as well as other property owners in the district or whether a leaser relexation than that applied for would give cubstantial relief; and 3) whether relief can be granted in such fachion that the spirit of the ordinance will be observed and

Anderson v. Bd. of Appeals, Town of Checapeake Beach, 22 Md. App. 28

public surety and welfare secured.

It is clear from the testimony that if the variance is granted, cuch use as proposed would not be contrary to the spirit of the B.C.Z.F. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the Petitions for Special Exception and Zoning Variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this William of February, 1989 that the Petition for Special Exception to permit an existing church and multi-purpose education center with a proposed addition and a proposed one-family parsonage on the Subject property; and the Petition for Zoning Variance to permit an existing gravel parking lot in lieu of the required durable and dustless surface, an aisle width within the gravel parking lot of 20 feet in lieu of the required 22 feet, a setback of 3 feet from the existing parking lot to a future street right-of-way line in lieu of the required 10 feet, and no striping of spaces in lieu of the required striping, in accordance with Petition er's Exhibit 1, be and are hereby CRANTED, subject, however, to

the following restrictions which are conditions precedent to the relief granted:

> 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) Petitioners shall comply with all the requirements of the Zoning Plans Advisory Committee, including, but not limited to, the requirements of the Bureau of Air Quality Management as set forth in their comments dated January 17, 1989 and the Bureau of Water Quality and Resource Management, comments dated January 3, 1989, which have been attached hereto and made a part hereof.

> (I M Neste-wie ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

Baltimore County Department of Environmental Protection & Resource Management County Courts Building 401 Bosley Avenue Towson, Maryland 21204 (301) 887-3733

Bureau of Air Quality Management 300 East Towsontown Boulevard Towson, Maryland 21204 (301) 887-3775

January 17, 1989 JAN 24 1980

Mr. J. Robert Haines, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Haines:

Robert W. Sheesley

Comments on Zoning Advisory Committee Meeting, Item #260 are as follows:

Episcopal Church

Property Owner: Location: Existing Zoning: R.C.-2

SS Mount Carmel Road at Pretty Boy Dam Road Proposed Zoning: Special Exception for a church, a onefamily parsonage and a free standing multipurpose education center and proposed addition. Variance to allow for an existing gravel parking lot and to allow for a twenty (20) foot aisle width in the gravel parking lot in lieu of the required twenty-two (22) feet and to allow for a three (3) foot parking lot to future street right-of-way line setback for the existing macadam parking lot, in lieu

The Trustees of Mount Carmel Methodist

of the required ten (10) feet and to permit no required striping of spaces to allow for unstriped parking lots. Area: Parcel #1 - 3.24 acres (+ or -) Parcel #2 - 2.959 acres (+ or -) District: 5th Election District

This office recommends approval for the nonconforming use of crusher-run paving as a durable and dustless surface in lieu of macadem. The use of such paving also requires continued maintenance of dust as cited in COMAR 10.18.06.03.D. The surface is to be treated

Mr. J. Robert Haines, Zoning Commissioner January 17, 1989

with any one or a combination of water, chemicals or oil to control dust emissions and sufficient crusher-run is to be replenished as required to ensure an appropriate surface and the control of dust.

The Bureau of Air Quality will perform the necessary surveillance to ensure that proper preventive measures are maintained to control dust.

Very truly yours,

Robert C. Merrey, Jr., Director Division of Support Services Bureau of Air Quality Management

RCM/als

PETITION FOR SPECIAL EXCEPTION TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for ___a church, a one=family parsonage and a free standing

multi-purpose education center and proposed addition.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

> I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s): The Trustees of Mount Carmel Methodist Episcopal Church (Type/ar Print Name)

Sales and was a second

Signature	Signature Allen L. Turnbaugh, Chair	7-7-		
Address	(Type or Print Name)			
	MAT	ที่กัว		
City and State	Signature	28		
	ì			

Attorney for Petitioner Mount Carmel Road at Stephen J. Nolan Pretty Boy Dam (Type or Print Name) Parkton, Maryland 21120 ... City and State _300 E. Joppa Road __Suite_1105_

Name, address and phone number of logal owner, contract purchaser or representative to be contacted ?RIOR Towson, Maryland 21204 Stephen J. Nolan 75-101-A City and State 300 E. Joppa Rd. Suite 1105 823 7800 Attorney's Telephone No.: 823-7800

ORDERED By The Zoning Commissioner of Baltimore County, this _____day anual 19 82, that the subject matter of this petition be advertised, as

required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, Coupty Office Building in Towson, Baltimore

Fred State & State of the oning Commissioner of Baltimore Count

E C O .- No. 1

Contract Purchaser:

(Type or Print Name)

260 PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section ______SEE ATTACHED of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) 1. Most of this historic Church property predates by many years, the adoption of the Baltimore County Zoning Regulations. 2. The placement of the existing building reflects the rural character of the area when the education center was constructed in 1963 well prior to current setback requirements. 3. Due to the configuration of the site and the placement of existing structure particularly difficult and unreasonable hardship would certainly result if the above variances were not granted. Property is to be posted and advertised as pres. sed by Zoning Regulations. I, or we, agree to pay expenses of above Variance novertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s): The Trustees of Mount Carmel Contract Purchaser: Methodist Episcopal Church (Type or Print Name) (Type or Print Name) Ille of Meritary Signature L. Turnbaugh, Chairman Signature Address Signature City and State Attorney for Petitioner: Mount Carmel Road at Stephen J. Nolan Pretty Boy Dam Road (Typs or Print Name) Parkton, Maryland 21120 Ateplen Nolan Signatur 300 E. Joppa Road Suite 1105 Name, address and phone number of legal owner, contract purchaser or representative to be contacted Towson, Maryland 21204 Stephen J. Nolan 300 E. Joppa Road Suite 1105 823-7800 Attorney's Telephone No.: _823-7800____ ORDERED By The Zoning Commissioner of Baltimore County, this _____day County, on the 16th day of 1, 1859, at 10:20 o'clock

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353 J. Robert Haines

NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Exception and Zoning Variance CASE NUBMER: 89-327-XA SS Mount Carmel Road at Pretty Boy Dam Road 5th Election District - 3rd Councilmanic Petitioner(s): The Trustees of Mount Carmel Methodist Episcopal Church

HEARING SCHEDULED: THURSDAY, FEBRUARY 16, 1989 at 10:30 a.m.

Special Exception: A church, a one-family parsonage and a free standing multi-purpose education center and proposed addition. Variance to allow for an existing gravel parking lot; to alllow for a twenty foot aisle width in the gravel parking lot in lieu of the required twenty-two ft.; to allow for a

three foot parking lot to future street right-of-way line setback for the existing macadam parking lot, in lieu of the required ten ft.; to permit no required striping of spaces to allow for unstriped parking lots.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing. 1. Polit House

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

Petitioner requests a variance from each of the following

- 1) Section 409.8A.2 to allow for an existing gravel parking lot.
- 2) Section 409.4.C to allow for a twenty (20) foot aisle width in the gravel parking lot in lieu of the required twenty-two (22) feet.
- 3) Section 409.88.4 to allow for a three (3) foot parking lot to future street right-of-way line setback for the existing macadam parking lot, in lieu of the required ten (10) feet.
- Section 409.8A.6 to permit no required striping of spaces to allow for unstriped parking lots.

CERTIFICATE OF POSTING 89-327-XA

Petitioner: The Trustice of Int Cornel Material Church Soush Location of property: Saile of mt Cornel Road at Posting Boy Dan Location of Signer Stath and of got Carrie Roll in fant of

J. EARLE PLUMHOFF NEWTON A. WILLIAMS WILLIAM M. HESSON, JR. THOMAS J. RENNER WILLIAM P. ENGLEHART, JR ROBERT L. HANLEY, JR. DOUGLAS L. BURGESS LOUIS G. CLOSE, III *ALSO ADMITTED IN D.C.
CADMITTED TO TEXAS BAR ONLY

NOLAN, PLUMHOFF & WILLIAMS SUITE HOS, HAMPTON PLAZA 300 EAST JOPPA ROAD TC 50N, MARYLAND 21204-3012 (301) 823-7800 TELEFAX:/30 296-2765

RALPH E. DEITZ 9026 LIBERTY ROAD RANDALLSTOWN, MARYLAND 21133

LAW OFFICES

January 12, 1989

HAND DELIVERY

Honorable J. Robert Haines Zoning Commissioner for Baltimore County County Office Building Towson, Maryland 21204

> Re: Item No. 260 Petitioner: The Trustees of Mount Carmel Methodist Episcopal Church Request for Expedited Hearing

Dear Commissioner Haines:

On December 20 and 21, 1988, this office had the privilege of filing a Petition for Special Exception and Petition for Zoning Variance on behalf of Mount Carmel United Methodist Church, which has been located at Mount Carmel and Pretty Boy Roads since 1851. The Church desires to build a one family parsonage and therefore it needs confirmatory zoning.

By your letter dated November 2, 1988 to Mrs. Carol S. Warner, the Chair of the Church's Building Committee (copy enclosed), you provided the Church with important assistance and guidance concerning its plans.

On behalf of the Church, we are respectfully requesting that this case be assigned to the earliest possible hearing date which the Commissioner's docket will permit. In light of the fact that Mrs. Warner has checked with local community groups and she does not anticipate any opposition, I estimate the hearing will take approximately 45 minutes.

Thank you for your consideration of this request.

Stephen J. Nolan

SJN/emd

cc: Mrs. Carol S. Warner, Chair Building Committee Reverend Elizabeth M. Goode

CERTIFICATE OF PUBLICATION NOTICE OF HEARING between Courty, by sufferily of the Zoning Act and Persuance of Bellmann Courty will have a TOWSON, MD., _ January 26____, 19 89 THIS IS TO CERTIFY, that the annexed advertisement was celed at 111 W. Cheespeale Avpublished in TOWSON TIMES, a weekly newspaper published in Patents for Special
Exception and Zoning
Venence
Case number: 88-327-XA
SS Mount Carmel Road at
Pretty Boy Dam Road
Sh Election District
3rd Councilmanic
Personer(s):
The Trustees of Mount
Carmel Methodiat Episcopel
Church
Hearing Date: Thursday,
Feb. 16, 1999 at 10:30 a.m. Towson, Baltimore County, Md., once in each of ____ successive weeks, the first publication appearing on Jan 26. 1989. THE JEFFERSONIAN Special Exception: A church, a one-tamily personage and a free standing multi-purpose aducation center and proposed TOWSON TIMES. addition. Variance to allow for an existin gravel parting lot; to allow for twenty foot assie width in th grave pariong lot in less of the re-quired twenty-two ft.; to allow for a three foot pariong lot to future street right-of-way line setback for the existing macadam pariong lot, in lieu of the required ten ft.; to permit no required striping (PO 69017 spaces to allow for unstriped parlong lots.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain case 89-327-XA any request for a stay of the in-suance of said permit during this period for good cause shown. Such request must be in writing price \$123.8. and received in this office by the date of the hearing set above or J. ROBERT HAINES

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21334 191-3353 J. Robert Haines

Dennis F. Rasmussen

STANDIN

CENTER

The Trustees of Mount Carmel Methodist Episcopal Church Mount Carmel Road at Pretty Boy Dam Road Parkton, Maryland 21120

ATTN: ALLEN L. TURNBAUGH

Petitions for Special Exception and Zoning Variance CASE NUBMER: 89-327-XA SS Mount Carmel Road at Pretty Boy Dam Road 5th Election District - 3rd Councilmanic

Petitioner(s): The Trustees of Mount Carmel Methodist Episcopal Church HEARING SCHEDULED: THURSDAY, FEBRUARY 16, 1989 at 10:30 a.m.

Please be advised that 153 57 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not returned.

Very truly yours,

J. Robert Haines U_{J. ROBERT HAINES} Zoning Commissioner of Baltimore County

Stephen J. Nolan, Esq.

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Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 (301) 887-3554

Jan' y 17, 1989



Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Haines: The Bureau of Traffic Engineering has no comments for item numbers 210, 259, 260, 261, 262, 263, and 265.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this 4th day of January , 19 89

Received by: James E. Dyer
Chairman, Zoning Plans Allen L. Turnbaugh Petitioner's Advisory Committee Stephen J. Nolan, Esquire

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines Date February 13, 1989 TO Zoning Commissioner

Pat Keller, Deputy Director FROM Office of Planning and Zoning

Zoning Petition Nos. 89-327-XA (Mt. Carmel Meth.); 89-329-A SUBJECT (Capital Homes); and 89-341-A (Kosko)

The Office of Planning and Zoning has no comment on the above petitions.

ZONING OFFICE

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 3, 1989

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

MEMBERS

Department of Traffic Engineering

Bureau of Fire Prevention

Health Department

Project Planning

Industrial

Building Departmen Board of Education

Zoning Administration

State Roads Commissio

Burcau of

Stephen J. Nolan, Esquire 300 E. Joppa Road Towson, MD 21204

RE: Item No. 260, Case No. 89-327-XA Petitioner: Allen L. Turnbaugh Petition for Zoning Variance & Special Exceptions

Dear Mr. Nolan:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Zoning Plans Advisory Committee

JED:jw Enclosures

cc: Mr. Allen Turnbaugh, Chairman Mt. Carmel Rd @ Pretty Boy Dam Rd Parkton, MD 21120

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

February 22, 1989

Stephen J. Nolan, Esquire 300 E. Joppa Road, Suite 1105 Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE S/S Mt. Carmel Road at Pretty Boy Dam Road

5th Election District - 3rd Councilmanic District The Trustees of Mt. Carmel Methodist Episcopal C. .rch - Petitioners Case No. 89-327-XA

Dear Mr. Nolan:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ

for Baltimore County

(M Nistano.

Deputy Zoning Commissioner

Dennis F. Rasmusser

AMN:bjs

cc: People's Counsel

File



Maryland Department of Transportation State Highway Administration

Richard H. Trainor Hal Kassoff

January 11, 1989

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204 Att: James Dyer

Re: Baltimore County Mount Carmel United Methodist Church Zoning meeting 1/3/89 S/S Mount Carmel Road MD 137 at Pretty Boy Dam Road Ite #260

Dear Mr. Haines:

After reviewing the submittal for a Special Exception for a church, a one family parsonage and free standing multi-purpose education center, and a proposed addition, we have the following comments:

A future 80' right-of-way (40' half section), on Mount Carmel Road must be shown on the plan.

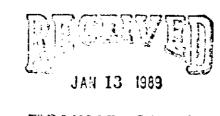
It is requested this revision be made prior to a hearing date being set.

If you have any questions, contact Larry Brocato (333-1350).

Very truly yours,

Chief Bureau of Engineering Access Permits

cc: McKee and Associates Inc.



My telephone number is (301) 333-1350

Teletypewriter for impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717

BALT THE COUNTY DEPARTMENT OF ENVIRONMENT OF THE COUNTY DEPARTMENT DEP Zoning Commissioner Office of Planning and Zoning

County Office Building Towson, Maryland 21204 Towson, Maryland 21204
Zoning Item # 260, Zoning Advisory Committee Meeting of January Street Property Owner: Trustees of Mt. Cornel Methodist Episcopal Church Location: 55 Mt. Cornel Rd. at Prettybey Dam Road

District: 5 Water Supply: private Sewage Disposal: private () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted

to the Plans Review Section, Bureau of Regional Community Services, for final review and approval. () Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.

() A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

() A permit to construct from the Bureau of Air Quality Management is required for any charbroiler generation which has a total cooking surface area of five (5) square feet or more.

Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.

Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.

() If lubrication work and oil changes are performed at this location, the method providing for the elimination

of waste oil must be in accordance with the State Department of the Environment. · () Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes.

Petitioner must contact the Bureau of Air Qu'lity Management regarding removal of asbestoes, 887-3775. () Any abandoned underground storage tanks containing gaseline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior

to removal or abandonment, owner must contact the Division of Waste Management at 887-3745. Soil percolation tests, have been ____, must be ____, conducted.

(V) The results are valid until <u>Sept. 26 1991</u>.

() Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.

(Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.

In accordance with Section 13-117 of the Baltimore County Code, the water well yield test

(1) shall be valid until 10/25/9/

(1) is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.

logical and chemical water samples.) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management

Prior to occupancy approval, the potability of the water supply must be verified by collection of bacterio-

In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762. cornic analysis of water surche serving

Baltimore County Fire Department Towson, Maryland 21214-2586 494-45(#)

Faul H. Remeke

January 12, 1989

J. Robert Haines, Zoning Commissioner Office of Planning & Zoning Baltimore County Office Building Towson, Maryland 21204

Re: Property Owner: The Trustees of Mt. Carmel Methodist

Episcopal Church Location: Mt. Carmel Rd. at Pretty Boy Dam Road

Zoning Agenda: Meeting of 1/3/89 Item No.: 260

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

Dennis F. Rasmussen

Contract of the second

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _

EXCEEDS the maximum allowed by the Fire Department.

* (x) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time. *Water for fire protection shall be provided in accordance with the Urban Guide for Fire Prevention and Control Master Planning.

NCTED & REVIEWER: Catt Just Kelly 1-16-59 APPROVED: Fire Prevention Burgau Special Inspection Division

December 19, 1988

DESCRIPTION OF MOUNT CARMEL UNITED METHODIST CHURCH PROPERTY PARCEL ONE AND PARCEL TWO FIFTH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

Beginning for the first at a point, being the intersection of the westerly most side of Prettyboy Dam Road and the southerly most side of Mount Carmel Road thence North 79° 08' 30" West 245.5 feet to a point; thence North 83° 36' 30" West 205 feet to a point; thence South 05° 55' 40" West 547.50 feet to a point; thence North 60° 28' East 140.45 feet to a point; thence North 46° 46' 30" East 329.9 feet to a point; thence North 38° West 20 feet to a point; thence North 45° 53' 30" East 71.7 feet to a point; thence North 42° 26' 30" East 84.45 feet to a point; thence North 39 08' 30" East 67.5 feet to the

Containing 3.240 acres of land more or less.

Beginning for the second at a point, being the intersection of the easterly most side of Prettyboy Dam Road and the southerly most side of Mount Carmel Road thence South 80° 48° 58" East 108.07 feet to a point; thence with a curve to the right having a radius of 300.00 feet and an arc length of 324.83 feet being subtended by a chord being South 49° 47° 48" East 309.20 feet to a point; thence South 58° 04° 07" West 347.8 feet to a point; thence North 44° 32' 28" West 285.70 feet to a point; thence North 37° 45' 00" East 249.21 feet

Containing 2.957 acres of land more or less.

MOUNT CARMEL UNITED METHODIST CHURCH :
Special Exception & Variance Case No.: 89-327-XX-3965CEEX:
Hearing Date: February 16, 1989



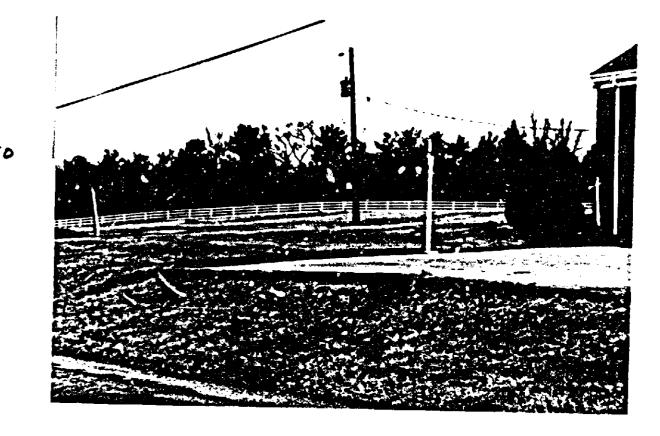


MOUNT CARMEL UNITED METHODIST CHURCH Special Exception & Variance Case No.: 89-327-XA Hearing Date: February 16, 1989





MOUNT CARMEL UNITED METHODIST CHURCH Special Exception & Variance Case No.: 89-327-XA Hearing Date: February 16, 1989





1. Brice G. Douch

3. Polly Horner & Tayen

5. Fall W. Schmiesing

. Deana 6 Harrison

3. Clara Mae Abelley

9. Gladys J. Burns 10. Ethel Tronger 11. OE Clemen

12. Shy B Clemen

13. deam T. Ferg

14. Ant Feng 15. Nancyk. Brinkeit

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19. Evelyn M. Kith

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10. Viiginia Sacha 17. Cane W. Orffun

7. Cal Re Hickey

2. WAYNE HARRISON

PLEASE PRINT CLEARLY 300 E. JOPPA Ry STE 1105 STEPHEN J. NOLAN, ESQ 1005.N 21204-3095 21155 16815 FALLS RD LIPPERCO MB CAROL S. WARNER Box 685 HampsTend Md 21074 Raymond Bostey 119 Chanmuth Rd. Luthenville 21092 4 Qual Hill of Bitton MOZINZO Many E. Knows 4 Qual Hill Ct. Parkton MD 21120 John A. Sollers Georgich Will 31 Upresco AD 21155 Alice Sellers 1921 MI Parme (P) Parkty My Z1120 1931 my. James Kil 12 Star M. 21120 2415 mit Paris Pl Duckton mil ami 16819 Spring Milles Uperson 16819 Moreuch Mill Rd. Upperce 21155 16819 Horand Milled My core My 21155 17300 Buch Land Rd, Farter, MDC 17400 Bushland Sol Parton No. 21120 17119 Prettylay Dim Car Parteton 21120 16776 Hunch Muc Fort Hyurs 21155 16:04 DUBBE PEAD SOMEKE M 21152 16104 Dalbs Rd Sporks Mid 2/152 17915 Cunter Hill Ed. Partition and 21100

PLEASE PRINT CLEARLY

PHOTO

PETITIONER(S) SIGN-IN SHEET

John A. Steinetz 2335 Barron Mill Rd Sporks No. 21152 RALPH D. TURNPAYEN 17301 PZETTYBOY DAM B BARKTON MD. 21120 17301 Pattype, Dan 2 & Packton and 21100 Helen Nowack 13 Prettybay garth Parkton MDZ1120 SAUNDER Philips 1821 FAIR RO, PARKTON, MO 21120 Charles J. Phillips 1221 Falls Rd. Park ba Md 21120 William H thudy 1701 Fait Pd P. 17- MD 21/20 Leonard T. Brhaver 55HAWAN RD. HUNT VALLEY MID MCKee & Assoc Inc,

CITIZENS' ALLIANCE OF NORTHERN BALTIMORE COUNTY, INC. PARKTON, MARYLAND 21120

February 13, 1989

TONER'S

Re: Item 89-327-XA

Dear Sir:

Zoning Commission

Zoning Office, Room 109

Towson, Maryland 21204

111 West Chesapeake Avenue

I am writing concerning the Special Exception, 89-327 proposed by the Trustees of Mount Carmel Methodist Episcopal Church. The Trustees make this request to obtain Special Exception for the addition of a one family parsonage, an addition to the Education Center, and a variance for an existing parking lot and other changes to the existing parking facilities at their property at Mount Carmel and Pretty Boy Dam

The Board of the Citizens Alliance considered these issues at its' regular meeting on January 18, 1989 and agreed that the Alliance has no objection to the changes proposed or the parking variance.

We support your favorable consideration of their request at the hearing on

Sincerely yours,

William M. Dande. William B. Landis President

cc: Ms. Carol Warner 16815 Falls Road Upperco, Maryland 21155

Fed 74 1989 CC CS

ZONING OFFICE

PETTONER'S

7 PARCHWORK CT. MONKED, MC ZILLI 1404 WALKER RO. FROCLAND MO ZICSZ 15+186/ONK Ro, Spants, MD 21152. 19716 Middletown Rk. Freefond MD 21053 1404 Walker Rd Freeland md 21 CT 3

1300 Corbett Rd., Monkton, Nd. 21111 525 Sefford Lane Monkton, M. 21111

412 Everett Hondy Monkton, Md. 21111 410 Everett Rd., Whatton, and. 21111 16223 Corbett Vil La monther MD2/11) 16223 Corbett Village I - Monther MoVIIII 17215 Prattyboy Dam Rd Parkton, Md 21120 17215 Pretty Box Vam B PARKTON MOZIKO 17118 Prettyboy Dam (cd. farketon, Nd. 21120) 17534 Fello Rd. Egyperer, Ind. 21155 16603 JUNAS RA SPARKS, MA ZILE Z

2907 Fracey's Store 184. - Parketon, Wed. 21/20

1717 Mt. Cornel Rd. Parkton, Mid 21120 1121 Raywelle Rd. Parkton, UD 21100 17211 Hunter Fran Ra Upperer, "12- 155 2307 me Curnel Kd. Hukari,mi) 2112L 17211 HONTER GREEN RD YPARON IND 21133 16701 YEONO Rd SPARKS Md 21152 16701 YeahoRd SPAINES NO 21152

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines

November 2, 1988



Dennis F. Rasmussen

Ms. Carol S. Warner, Chairman Building Committee The Ray Bosley Construction Co. Box 685 Hampstead, Maryland 21074

RE: Proposed Parsonage
Mt. Carmel United Methodist Church
S/Side of Mt. Carmel Road at Pretty
Boy Dam Road
5th Election District

Dear Ms. Warner:

This correspondence references your submitted letter and site plans received by this office on October 25, 1988 and the subsequent meeting held with you on November 2, 1988.

The current zoning of the above-mentioned location is R.C.-2 (Resource Conservation - Agricultural Protection) which permits churches or schools by Special Exception; since such a hearing has not been held, the current use of the property is considered nonconforming and the limitation on this property as stated in Section 104 of the Baltimore County Zoning Regulations (enclosed) restricts any development to a 25% extension (the proposed parsonage represents a 30% increase).

In order to obtain zoning approval of proposed improvements to this site, either a Special Hearing to establish the nonconforming status and a determination by the Zoning Commissioner to allow a parsonage, or a Special Exception Hearing to permit a church, school and parsonage on the site would be required with the strong suggestion by this office that the latter course be followed.



Mr. Carmel United Methodist Church November 2, 1988 Page 2

You have been supplied with the required forms and checklists to request a public hearing and this office will be happy to assist you in any way possible. Should you need further assistance, please do not hesitate to contact me at 387-3391.

Very truly yours,

JAMES E. DYER Zoning Supervisor

Y. JOHN L. LEWIS
Planning & Zoning Associate III

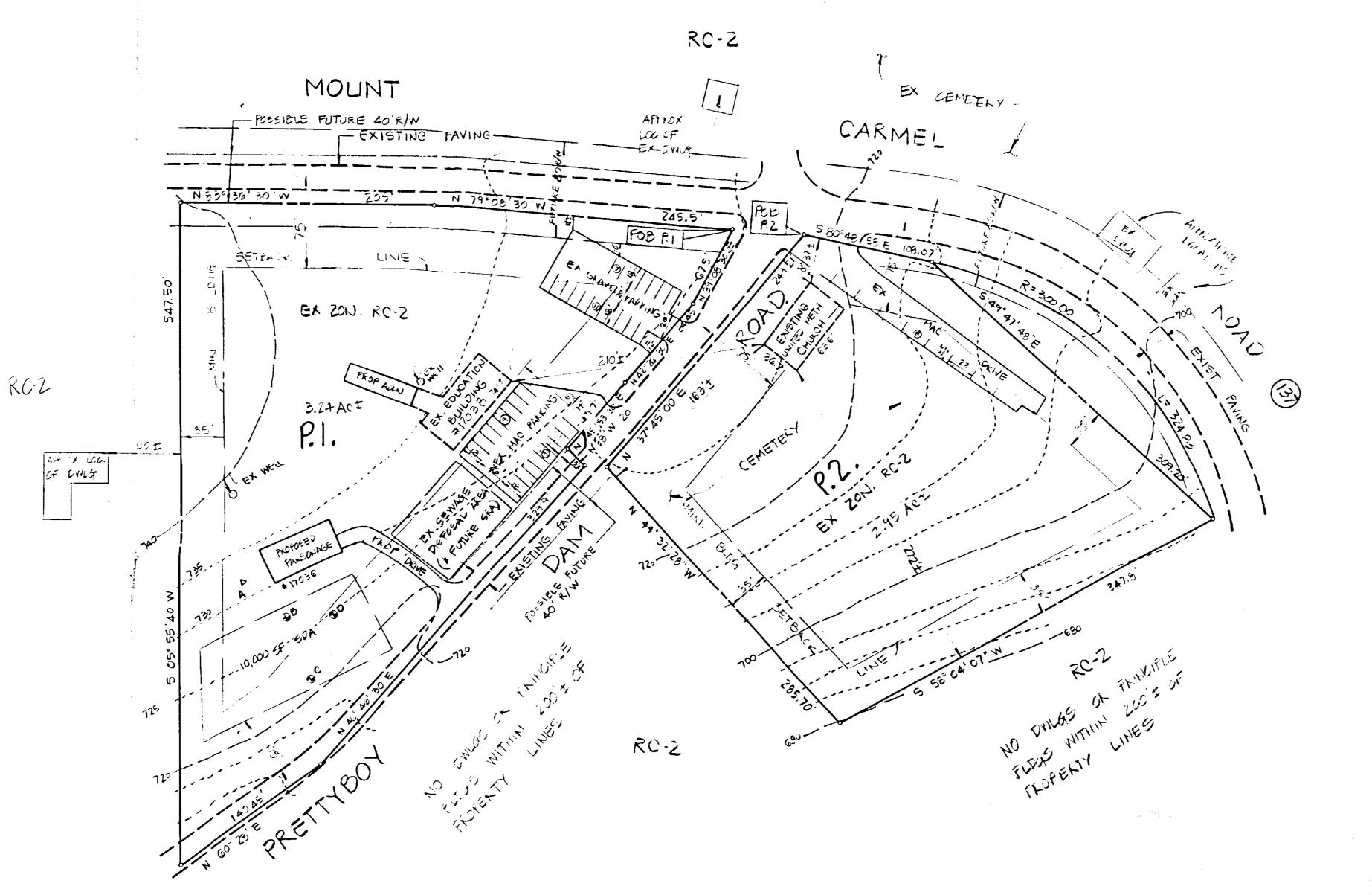
JLL/cer

Section 104--NOGIONFORMING USES (B.C.Z.R., 1955.)

- 104.1--A nonconforming use (as defined in Section 101) may continue except as otherwise specifically provided in these Regulations; provided that upon any change from such nonconforming use to any other use whatsoever, or any abandonment or discontinuance of such nonconforming use for a period of one year or more, or in case any nonconforming business or manufacturing structure shall be damaged by fire or other casualty to the extent of seventy-five (75) per cent of its replacement cost at the time of such loss, the right to continue or resume such nonconforming use shall terminate. No nonconforming building or structure and no nonconforming use of a building, structure, or parcel of land shall hereafter be extended more than 25% of the ground floor area of buildings so used. [B.C.Z.R., 1955; Bill No. 18, 1976.]
- 104.2-Exception. Any contrary provision of these regulations notwithstanding, an office building that was authorized by grant of a special exception and that becomes damaged to any extent or destroyed by casualty may be fully restored in accordance with the terms of the special exception. [Bill No. 167, 1980.]
- 104.3--Any use which becomes or continues to be nonconforming which exists within the Chesapeake Bay Critical Area on or after the effective date of this subsection to provisions of Section 104.1 and Section 104.2, above, and to the provisions of Section 307.2, BCZR. [Bill No. 32, 1988.]

NOTES:

- 1) A VARIANCE WAS GRANTED NOV. 21, 1975 TO ALLOW FOR CHURCH SETEACKS OF 46' FROM THE & AND GO' IN LIEU OF 75' FROM BOTH MOUNT CARMEL RD & PRETTYBOY DAM ROAD. (75-101-A)
- 2. THE BOUNDARY SHOWN HEREON AND DESCRIPTIONS INCLUDED ARE BASED ON SURVEYS PREPARED BY MR. C.A. MYERS & MR. CHARLES A. LOGAN.



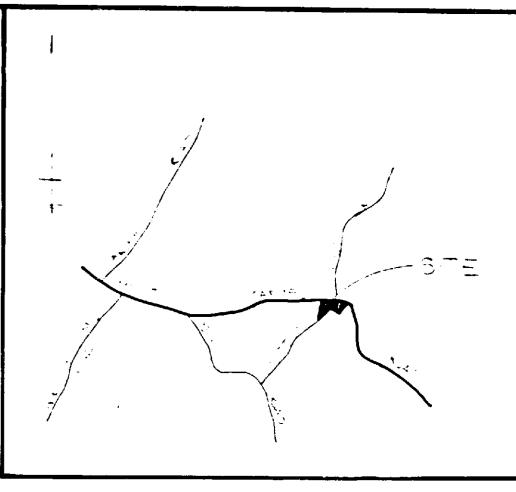
REQUESTED SFECIAL EXCEPTION

REQUESTING A SPECIAL EXCEPTION TO ALLOW FOR A CHURCH, I SINGLE FAMILY PARSONAGE, AND A FREE-STANDING MULTIPURPOSE EDUCATION CENTER , PROPOSED ADDITION.

REQUESTED VARIANCES

Petitioner requests a variance to the following:

- 1) Section 409.84.2 to allow for an existing gravel parking lot.
- 2) Section 409.4.C to allow for a twenty (20) foot aisle width in the gravel parking lot in lieu of the required twenty-two (22) feet.
- 3) Section 409.88.4 to allow for a three (3) foot parking lot to future street right-of-way line setback for the existing macadam parking lot, in lieu of the required ten (10) feet.
- 4) Section 409.84.6 to permit no required striping of spaces to allow for unstriped parking lots.



VICINITY MAT

3 -4 51 1" = 7000

TABULATIONS

EXISTING ZONING

RC-2

PARKING:

NO. EFACES REO'D -

EX. CHURCH (120 SEATS @ 188/4 sects) = 30 space.

PROPOSED PARSONAGE Z EMECE

NO. STACES EXISTING

NO. EFACES PROPOSED FOR PARSONAGE = ZEFACE

CHURCH - SUN 11-12PM

EDUC BLEG - M-F JAM-SPM EUN J45-1045A1

* PARKING SHALL LE SHAKED

HOURS OF OFERATION

PLAT TO ACCOMPANY PETITION FOR EFECIAL EXCEPTION & VARIANCES AT

MOUNT CARMEL UNITED METHODIST CHURCH

5TH ELECTION DISTRICT SCALE: 1"=60'

BALTIMORE CO. MO DEC 15, 1983

REVISED JAN. 31,1963 TO SHOW FUTURE BE'A/OU FOR MOUNT CARME READ A: FUR THA COMMUNT. NEMIED EN CHAVE. MALTING ACCEPTINGET

McKEE & ASSOCIATES, INC. Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HUNT VALLEY, MARYLAND 21030 (301) 252-5820

Computed by: ______ Drawn by: LJP KED TG Checked by: JG Job Number: <u>88-149</u>

W.M. Elec 12/14/94 James W McKee Date (Maryland Registered No. 9012)